

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
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**FILED**

FEB 10 2005

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 42733

IN THE MATTER OF THE PETITION OF )  
UTILITIES, INC., AN INDIANA )  
CORPORATION, FOR APPROVAL OF A )  
NEW SCHEDULE OF RATES AND CHARGES )  
FOR WATER UTILITY SERVICE AND TO )  
ISSUE LONG TERM DEBT TO PROVIDE )  
FUNDS FOR THE COSTS OF THE )  
ACQUISITION AND INSTALLATION OF )  
IMPROVEMENTS OF AND EXTENSIONS TO )  
THE WATERWORKS OF THE CORPORATION )

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") caused the following entry to be made:


On February 8, 2005, counsel for Utilities, Inc., ("Petitioner") filed a *Motion for an Extension of Time in Which to File Rebuttal Testimony* ("Motion"), advising that while Petitioner's rebuttal testimony is due to be filed on February 8, 2005, Petitioner needs additional time in which to prepare its proposed stipulated testimony. Petitioner advised that it has engaged in settlement discussions with the Office of Utility Consumer Counselor ("OUCC") and believes that the parties will reach a settlement in this Cause. The Motion advises that counsel for the OUCC has been contacted and does not object to the requested schedule modification.

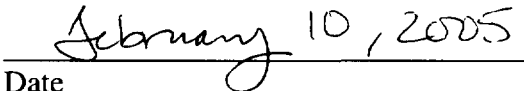
170 IAC 1-1.1-18(i) governs written requests for extensions of time in which to prefile testimony. The rule states that "[t]he motion should be filed prior to the time set for the filing of the testimony . . . .", and provides that the Presiding Officers, for good cause shown, may fix the extension of time in which to prefile testimony in order to avoid undue delay and provide a reasonable opportunity for all parties to properly prepare their cases.

The Presiding Officers, being duly advised in the premises, now find that the Petitioner's Motion should be granted. The Petitioner shall file its rebuttal testimony, or, in the alternative, the parties' stipulation, settlement agreement, and settlement testimony on or before February 11, 2005. The evidentiary hearing in this Cause remains scheduled for February 17, 2005, at 11:00 a.m. EST in Room E306, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana.

**IT IS SO ORDERED.**

  
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Judith G. Ripley, Commissioner

  
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Andrea L. Brandes, Administrative Law Judge

  
\_\_\_\_\_  
Date